

June 6, 2006

Dr. John B. Howard
194 Main Street
Wareham, MA 02571

Re: Rodgers v. Plymouth County et al., Docket No. 04-11842-PBS

Dear Dr. Howard:

I am writing, pursuant to Fed. R. Civ. P. 37, in an attempt to resolve the discovery dispute in the above-entitled matter. As you are aware, on June 1, 2006, you were scheduled for a deposition in my office. You did not appear despite being properly noticed.

If I do not hear from you or your attorney within seven days, I will bring this matter to the attention of the court.

Sincerely,

Michael Tumposky